

House File 557 - Introduced

HOUSE FILE 557

BY SALMON

A BILL FOR

1 An Act relating to operations of townships by requiring that
2 townships provide emergency medical service, modifying
3 provisions related to township cemeteries, and including
4 applicability provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 359.17, subsection 2, Code 2017, is
2 amended to read as follows:

3 2. A board of township trustees shall give prior notice of
4 a meeting to discuss, deliberate, or act upon a matter relating
5 to the budget or a tax levy of the township or relating to
6 the trustees' duty to provide fire protection service and,
7 ~~if provided,~~ emergency medical service, pursuant to section
8 359.42. The trustees shall give notice of such meeting at
9 least twenty-four hours preceding the commencement of the
10 meeting. The notice shall state the time, date, and place
11 of the meeting and the proposed agenda. The notice shall be
12 provided to the county auditor who shall post the notice in an
13 area of the courthouse where notices to the public are commonly
14 posted.

15 Sec. 2. Section 359.31, Code 2017, is amended to read as
16 follows:

17 **359.31 Power and control.**

18 ~~They~~ The board of township trustees shall control any such
19 cemeteries, or appoint trustees for the same, or sell the same
20 to any private corporation for cemetery purposes. The board of
21 township trustees may contract with a public or private agency
22 under chapter 28E or to establish a joint cemetery board under
23 section 359.36 for the purposes of improving, maintaining, and
24 supporting township cemeteries.

25 Sec. 3. Section 359.42, Code 2017, is amended to read as
26 follows:

27 **359.42 Township fire protection service, emergency warning**
28 **system, and emergency medical service.**

29 1. Except as otherwise provided in section 331.385, the
30 trustees of each township shall provide ~~fire~~ the following
31 services for the township:

32 a. Fire protection service ~~for the township~~, exclusive of
33 any part of the township within a benefited fire district ~~and~~
34 ~~may provide emergency medical service.~~

35 b. Emergency medical service.

1 2. The trustees may purchase, own, rent, or maintain fire
2 protection service or emergency medical service apparatus or
3 equipment or both kinds of apparatus or equipment and provide
4 housing for the equipment. The trustees of a township which
5 is located within a county having a population of three
6 hundred thousand or more may also establish and maintain an
7 emergency warning system within the township. The trustees
8 may contract with a public or private agency under [chapter 28E](#)
9 for the purpose of providing any service or system required or
10 authorized under [this section](#).

11 Sec. 4. Section 359.49, subsection 2, Code 2017, is amended
12 to read as follows:

13 2. By January 15 of each year, each township fire department
14 in the township shall provide to the board of trustees a
15 proposed budget showing all revenues and all expenses for
16 emergency services for the next fiscal year. By January 15 of
17 each year, each entity providing emergency medical service in
18 the township shall provide to the board of trustees a proposed
19 budget showing all revenues and all expenses for emergency
20 medical service for the next fiscal year. By January 15 of
21 each year, each township fire department, and each municipal
22 fire department or other entity providing emergency services
23 to a township, shall submit to the board of trustees a report
24 detailing emergency services calls for the prior calendar year
25 for the fire district and a copy of the fire report filed by
26 the fire department with the state fire marshal's office. For
27 purposes of **this subsection**, "*municipal*" means relating to a
28 city, county, township, benefited fire district, or **chapter 28E**
29 agency authorized by law to provide emergency services.

30 Sec. 5. IMPLEMENTATION OF ACT. Section 25B.2, subsection
31 3, shall not apply to this Act.

32 Sec. 6. APPLICABILITY. This Act applies to fiscal years
33 beginning on or after July 1, 2018.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 This bill requires that a township provide emergency medical
3 service within the township. Under current law, a township is
4 required to provide fire protection service and is authorized,
5 but not required, to provide emergency medical service. The
6 bill also makes corresponding changes to provisions of law
7 governing the township budgeting process.

8 The bill specifies that each board of township trustees is
9 authorized to contract with a public or private agency under
10 Code chapter 28E (joint exercise of governmental powers) or to
11 establish a joint cemetery board with a city council under Code
12 section 359.36 for the purpose of improving, maintaining, and
13 supporting township cemeteries.

14 The bill may include a state mandate as defined in Code
15 section 25B.3. The bill makes inapplicable Code section 25B.2,
16 subsection 3, which would relieve a political subdivision from
17 complying with a state mandate if funding for the cost of
18 the state mandate is not provided or specified. Therefore,
19 political subdivisions are required to comply with any state
20 mandate included in the bill.

21 The bill may cause a state agency or political subdivision to
22 offer for sale to the public a service or product that competes
23 with private enterprise.

24 The bill applies to fiscal years beginning on or after July
25 1, 2018.